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6  
7 UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

8 United States of America and the State of  
9 Arizona,

10 Plaintiffs,

11 v.

CASE NO. CV07-1030-PHX

12 Arizona Hospital and Healthcare  
13 Association and AzHHA Service  
Corporation,

14 Defendants.  
15

16 **NOTICE OF THE APPLICABILITY OF THE ANTITRUST PROCEDURES**  
17 **AND PENALTIES ACT TO THE FINAL JUDGMENT**

18 In the above-referenced civil antitrust case filed today by the United States, the  
19 United States has also filed a stipulation and proposed Final Judgment.

20 This Court's consideration of the Final Judgment is governed by § 5(b)-(h) of the  
21 Clayton Act, 15 U.S.C. § 16(b)-(h), commonly known as the Antitrust Procedures and  
22 Penalties Act ("the Act"). The Act requires that certain steps be taken before this Court  
23 may enter the proposed Final Judgment.

24 Today the United States has also filed a Competitive Impact Statement ("CIS")  
25 complying with the Act's requirement that, when a proposed consent judgment is filed, a  
26 CIS explaining the nature of the case and the proposed relief must also be filed. Within  
27 10 days after the CIS is filed, the Act requires the defendants to file a description of  
28 certain communications with the government.

1 The Act provides a period of at least sixty (60) days preceding the effective date of  
2 the proposed Final Judgment within which any person may submit to the United States  
3 written comments regarding the proposed Final Judgment. Any person who wishes to  
4 comment should do so within sixty days of the date of publication of this Competitive  
5 Impact Statement in the Federal Register, or the last date of publication in a newspaper of  
6 the summary of the CIS, whichever is later. All comments received during this period  
7 will be considered by the Department of Justice, which remains free to withdraw its  
8 consent to the proposed Final Judgment at any time prior to this Court's entry of  
9 judgment. The comments and the United States' response to them will be filed with this  
10 Court and published in the Federal Register.

11 Once all of the Act's requirements have been met by the parties, the United States  
12 will file with the Court a motion for entry of the proposed Final Judgment that includes a  
13 Certificate of Compliance with the Act. After the motion is filed, the Court may enter the  
14 proposed Final Judgment, after determining compliance with Fed. R. Civ. P. 54(b), and if  
15 it concludes that, pursuant to 15 U.S.C. § 16(e)-(f), entry of the judgment is in the public  
16 interest.

17 Dated: May 22, 2007

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1 CERTIFICATE OF SERVICE

2 I hereby certify that on May 22, 2007, I electronically transmitted the attached  
3 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a  
4 Notice of Electronic Filing to the following CM/ECF registrants:

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